## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS EL PASO DIVISION

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CARLOS D. ROBLES, Plaintiff

v.

TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER a/k/a TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER AT EL PASO and BRADLEY P. FUHRMAN, M.D., in his official capacity; and RICHARD LANGE, M.D., in his official capacity, Defendants.

CAUSE NO. 3:14-CV-321

## **DECLARATION OF ALICIA GACHARNA**

STATE OF TEXAS §
COUNTY OF EL PASO §

"My name is Alicia Gacharna. I hold the position of Clinical Department Administrator in the Department of Pediatrics at Texas Tech University Health Sciences Center at El Paso ("TTUHSC"). I am of sound mind, over the age of eighteen years, have never been convicted of a felony or crime involving moral turpitude, have personal knowledge of the matter contained in this Declaration, and am in all ways competent to testify on the matters stated herein.

1. In the course of my duties at TTUHSC, I act as a custodian of records. Exhibit A-1 through A-12 to Defendants' Motion for Summary Judgment in Robles v. Texas Tech University Health Sciences Center, et al., are records kept in the regular course of TTUHSC business, and it was the regular course of business of TTUHSC for an employee or representative of TTUHSC, with knowledge of the act, event, condition, opinion, or diagnosis to make the records or to transmit information thereof to be included in such records. Further the records were made at or near the time of the events recorded in the Exhibits. Further Exhibit A-1 through A-12 represent true and correct copies of the records referenced in my previous declaration.

- 2. Paragraphs 1, 2, 3, 4, 6-13 in my previous Declaration in this matter were made from my personal knowledge. Specifically, I have personal knowledge of the positions under my supervisory chain, including that Carlos Robles worked as a Patient Service Specialist, under my supervisory chain, from December 2008 until September 2013. I also have personal knowledge of the job duties of positions under my supervision, including the job duties of a PSS.
- 3. I recommended Mr. Robles' termination in September 2013. I have personal knowledge about the reasons why I recommended Mr. Robles' termination. I also have personal knowledge of Mr. Robles work performance and discipline in that I reviewed his employment file and discipline records prior to recommending his termination. I also discussed his work performance and disciplinary history with his immediate supervisor and Human Resources prior to recommending his termination.
- 4. Finally, I have personal knowledge of the disciplinary record of employees within my supervisory chain. I have never supervised any TTUHSC employee that has had a similar number of written disciplinary counselings, reprimands, or letters of final warning as Mr. Robles.

EXECUTED on May 28, 2015.

Olicia Gachaena ALICIA GACHARNA